



OT06 Rec'd PCT/PTO 25 NOV 2002

PCT Receipt

PATENT #10  
ATTORNEY DOCKET NO. 50026/031001

Certificate of Mailing: Date of Deposit: November 19, 2002

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Elaine E. Fabrizio

Printed name of person mailing correspondence

Elaine E. Fabrizio

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Toshihiro Nakajima et al. Art Unit: 1645

Serial No.: 09/980,420

Examiner:

Filed: June 5, 2002

Customer No.: 21559

Title: A VECTOR FOR THE EXPRESSION OF TWO FOREIGN GENES

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Assistant Commissioner for Patents  
Office of Initial Patent Examination  
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Washington, D.C. 20231

PETITION TO CORRECT FILING RECEIPT

Applicants request that the enclosed filing receipt be corrected as follows:

Under the Domestic Priority field, replace "JPOO" to read --JP00--; and under the Title field, replace "Vector for expressing two foreign genes" to read --A Vector for the expression of two foreign genes--.

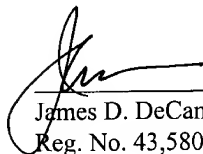
Enclosed are copies of the incorrect filing receipt, transmittal, and cover page of the application showing the correct information.

If there are any charges or any credits, please apply them to Deposit Account No.

03-2095.

Respectfully submitted,

Date: 19 November 2002



James D. DeCamp, Ph.D.  
Reg. No. 43,580

Clark & Elbing LLP  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|----------------|----------|------------|------------|
| 09/980,420         | 06/05/2002  | 1645         | 956           | 50026/031001   | 17       | 30         | 2          |

21559  
CLARK & ELBING LLP  
101 FEDERAL STREET  
BOSTON, MA 02110

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CLARK &amp; ELBING

CONFIRMATION NO. 2866

FILING RECEIPT



\*OC000000008450471\*

Date Mailed: 07/19/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Toshihiro Nakajima, Hyogo, JAPAN;  
Kenji Nakamaru, Tokyo, JAPAN;  
Mamoru Hasegawa, Ibaraki, JAPAN;  
Masanori Hayami, Kyoto, JAPAN;  
Eiji Ido, Kyoto, JAPAN;

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## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/JPOO/03955 06/16/2000

## Foreign Applications

JAPAN 11/175646 06/22/1999

Replace with the  
numbers --00--

Projected Publication Date: Not Applicable, filed prior to November 29, 2000

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Vector for expressing two foreign genes

Replace to read -- A Vector for  
the Expression of Two Foreign  
Genes --

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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NOV 25 2002



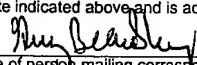
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Date of Deposit November 30, 2001Label Number: EV040971445US

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Guy Beardsley

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Substitute Form PTO 1390 U.S. Department of Commerce Patent and Trademark Office

Attorney's Docket Number:  
50026/031001

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. Application Number:

INTERNATIONAL APPLICATION NUMBER

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/JP00/03955

June 16, 2000

June 22, 1999

TITLE OF INVENTION:

A VECTOR FOR THE EXPRESSION OF TWO FOREIGN GENES

APPLICANTS FOR DO/EO/US:

TOSHIHIRO NAKAJIMA, KENJI NAKAMARU, MAMORU HASEGAWA, MASANORI HAYAMI, AND EIJI IDO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. § 371(c)(2)).  
☒ a. is transmitted herewith (required only if not transmitted by the International Bureau).  
☐ b. has been transmitted by the International Bureau.  
☐ c. is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. § 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3)).  
☐ a. are transmitted herewith (required only if not transmitted by the International Bureau).  
☐ b. have been transmitted by the International Bureau.  
☐ c. have not been made; however, the time limit for making such amendments has NOT expired.  
☒ d. have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
9. ☒ An oath or declaration of the inventors (35 U.S.C. § 371(c)(4)). (unsigned)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).
11. ☐ An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98.
12. ☐ An assignment for recording. A separate cover sheet in compliance with 37 §§ 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment, consisting of 2 pages.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Clean and Marked-up Version (2 pgs.); Sequence Statement (2 pgs.); Sequence Listing (19 pgs.); Diskette (1); PCT/IPEA/401 (4 pgs.); PCT/IPEA/416 (1 pg.); PCT/IPEA/409 (4 pgs.); PCT/IPEA/408 (4 pgs.); PCT/IPEA/402 (1 pg.); PCT/IB/301 (2 pgs.); PCT/IB/332 (1 pg.); PCT/IB/308 (1 pg.); PCT/IB/304 (1 pg.); PCT/ISA/210 (3 pgs.); PCT/ISA/220 (1 pg.); PCT/ISA/202 (1 pg.); PCT/RO/105 (1 pg.); PCT-Easy Version 2.90 (5 pgs.); PCT/ISA/210 (translation) (2 pgs.); and WO 00/78987 A1.

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|  |              |              |         |                                 |    |
|--|--------------|--------------|---------|---------------------------------|----|
| 17. The following fees are submitted:  |              |              |         |                                 |    |
| BASIC NATIONAL FEE (37 C.F.R. § 1.492(A)(1)-(5)):  |              |              |         |                                 |    |
| Neither international preliminary examination fee (37 C.F.R. § 1.482) nor international search fee (37 C.F.R. § 1.455(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO  |              |              |         | \$ 1040.00                      |    |
| International preliminary examination fee (37 C.F.R. § 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO   |              |              |         | \$ 890.00                       |    |
| International preliminary examination fee (37 C.F.R. § 1.482) not paid to USPTO but international search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO   |              |              |         | \$740.00                        |    |
| International preliminary examination fee (37 C.F.R. § 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1) - (4)   |              |              |         | \$ 710.00                       |    |
| International preliminary examination fee paid to USPTO (37 C.F.R. § 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)   |              |              |         | \$ 100.00                       |    |
| ENTER APPROPRIATE BASIC FEE AMOUNT =   |              |              |         | \$890.00                        |    |
| Surcharge of \$130 for furnishing the oath or declaration later than □ 20 OR □ 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).   |              |              |         | \$0                             |    |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA | RATE    |                                 |    |
| Total claims   | 54 - 20 =    | 34           | x \$18  | \$612.00                        |    |
| Independent claims   | 2 - 3 =      | 0            | x \$84  | \$0                             |    |
| Multiple dependent claims (if applicable)  |              |              | + \$280 | \$ 280.00                       |    |
| TOTAL OF ABOVE CALCULATIONS =  |              |              |         | \$1782.00                       |    |
| Reduction of 1/2 for filing by small entity, if applicable. [**Applicant claims small entity status under 37 C.F.R. § 1.27**]  |              |              |         | \$891.00                        |    |
| SUBTOTAL =   |              |              |         | \$891.00                        |    |
| Processing fee of \$130.00 for furnishing the English translation later than □ 20 OR □ 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).   |              |              |         | \$0                             |    |
| TOTAL NATIONAL FEE =   |              |              |         | \$891.00                        |    |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31).   |              |              |         | \$0                             |    |
| TOTAL FEES ENCLOSED =  |              |              |         | \$891.00                        |    |
|  |              |              |         | Amount to be refunded           | \$ |
|  |              |              |         | charged                         | \$ |
| <input type="checkbox"/> a. A check in the amount of \$891.00 to cover the above fees is enclosed.<br><input type="checkbox"/> b. Please charge my Deposit Account No. 03-2095 in the amount of \$ [***] to cover the above fees.<br><input type="checkbox"/> c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 03-2095. |              |              |         |                                 |    |
| NOTE: Where an appropriate time limit under 37 C.F.R. §§ 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.   |              |              |         |                                 |    |
| SEND ALL CORRESPONDENCE TO:  |              |              |         |                                 |    |
| Paul T. Clark<br>Clark & Elbing LLP<br>176 Federal Street<br>Boston, MA 02110-2214   |              |              |         | Signature                       |    |
| Telephone: 617-428-0200<br>Facsimile: 617-428-7045<br>Customer No.: 21559  |              |              |         | James DeCamp<br>Reg. No. 43,580 |    |

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21559

PATENT, TRADEMARK OFFICE

Revised: 17 March 2000



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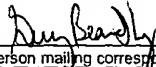
Date of Deposit November 30, 2001

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Guy Beardsley

Printed name of person mailing correspondence

  
Signature of person mailing correspondence

APPLICATION  
FOR  
UNITED STATES LETTERS PATENT

APPLICANTS : TOSHIHIRO NAKAJIMA, KENJI NAKAMARU,  
MAMORU HASEGAWA, MASANORI HAYAMI,  
EIJ I DO

TITLE : A VECTOR FOR THE EXPRESSION OF TWO  
FOREIGN GENES